



Docket No.: 1793.1001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Ji-Sub PARK

Serial No. 10/734,592

Group Art Unit: 2853

Confirmation No. 1426

Filed: December 15, 2003

Examiner: Lee, Cheukfan

For: METHOD AND APPARATUS FOR SCANNING IMAGE

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Statements of Reasons for Allowance were forwarded in the Notice of Allowability mailed May 1, 2008 and the Office Action mailed November 2, 2007.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner characterizes certain features of various claims. However, the Examiner has not recited the appropriate language for the appropriate claims as pending and allowed in the application.

By way of example, the reasons in the Notice of Allowability with respect to claim 33 state the first and second reference points respectively representing the first and second end points of the first side of the document. However, this claim does not specifically recite these features.

Furthermore, the reasons for allowance in the Notice of Allowability include descriptions and characteristics of selected items of prior art. It is submitted that such characterizations are not proper "reasons for allowance" as directed by 37 C.F.R. §1.104 and as explained in M.P.E.P. §1302.14. In particular, a discussion of the prior art is specifically identified as Example (F) of M.P.E.P. §1302.14 of a statement which is not a suitable reason for allowance.

The foregoing is merely meant to be exemplary, and does not point out all of the discrepancies between the Examiner's Statement of Reasons for Allowance and the claimed features of the currently pending claims.

It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 7-28-08

By:

M. Badagiacca

Michael J. Badagiacca
Registration No. 39,099

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501